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C O N F I D E N T I A L SECTION 01 OF 02 COLOMBO 001968

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DEPARTMENT FOR SCA/INS

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TAGS: [PREL](#) [PTER](#) [PHUM](#) [PREF](#) [MOPS](#) [CE](#)

SUBJECT: SRI LANKA: HUMAN RIGHTS MINISTER LOBBIES AGAINST
HUMAN RIGHTS COUNCIL RESOLUTION ON SRI LANKA

REF: A. COLOMBO 1949

[1](#)B. COLOMBO 1947 AND PREVIOUS

Classified By: Ambassador Robert O. Blake for reasons 1.4(b,d).

[1](#)1. (C) Summary: Disaster Management and Human Rights Minister Mahinda Samarasinghe called a meeting for diplomatic representatives November 22 to highlight the Government of Sri Lanka's human rights initiatives. Samarasinghe's apparent objective was to head off an EU-sponsored human rights resolution on Sri Lanka scheduled for discussion in the Human Rights Council (HRC) in Geneva November 27-28. He highlighted the GSL's initiatives to establish a Commission of Inquiry on Human Rights with an international body to monitor the commission's investigations (ref B). Diplomatic representatives praised these efforts but emphasized they would carry less resonance as the human rights situation on the ground appears to be rapidly deteriorating. End Summary.

Human Rights Minister
Touts "Positive Developments"

[1](#)2. (C) Disaster Management and Human Rights Minister Mahinda Samarasinghe called a meeting for diplomatic representatives November 22 to highlight the Government of Sri Lanka's human rights initiatives in light of an EU-sponsored UN human rights resolution on Sri Lanka scheduled for discussion November 27-28. Deputy Solicitor General Yasantha Kodagoda, Acting Foreign Secretary Geetha de Silva, and Ministry of Foreign Affairs United Nations Officer Sumedha Ekanayaka also represented the GSL at the meeting. Charge' and representatives from the German, Canadian, UK, EU, Japanese, and Swedish missions attended.

[1](#)3. (C) Minister Samarasinghe argued that the GSL has made significant efforts to address human rights issues highlighted in the proposed UN resolution and that the international community's support of it would weaken the GSL's indigenous process. "We have taken action," he said, listing five "positive developments" which he contended made the resolution unnecessary at this juncture.

-- The Commission of Inquiry for investigation into human rights abuses has been gazetted and will meet as early as the afternoon of November 22 (ref B).

-- The GSL has engaged in comprehensive consultation with the international community, including the United Nations Office of the High Commissioner for Human Rights (UNOHCHR), to negotiate Terms of Reference for an International Independent Group of Eminent Persons (IIGEP) to observe the commission's work.

-- The Memorandum of Understanding signed October 30 between the ruling Sri Lanka Freedom Party (SLFP) and the United National Party (UNP) will "encourage national issues to be addressed and solved in a bipartisan nature."

-- Minister Samarasinghe and Defense Secretary Rajapaksa co-chair a monthly committee with NGOs and international agencies to discuss humanitarian access.

-- Minister Samarasinghe co-chairs with the Finance Ministry a meeting with donors "to resume conflict and tsunami-related development projects for the North and East" every six weeks.

Committees Can't Address Deteriorating Ground Situation

¶4. (C) Dutch Ambassador applauded these efforts but noted that the situation on the ground has deteriorated

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significantly even as the GSL has made human rights initiatives. He noted the shelling of civilian IDPs in Varakai and the killing of five Tamil students by security forces after an LTTE claymore mine exploded in Vavuniya in November (ref A). The Canadian High Commissioner brought up the government and nationalist press's proclivity for discrediting anyone whose reports they don't like. Referring to UN Special Advisor on Children and Armed Conflict Allan Rock (ref A), she said: "A high ranking UN official's reputation was publicly maligned because people didn't like his message. The lack of GSL response to the Rock report is not good for your image." The Dutch Ambassador added sharply: "The image of Sri Lanka has been damaged, not because of a conspiracy of countries set out to damage Sri Lanka." The Dutch Ambassador continued: "We will convey your message to our home ministries but our capitals perceive the situation in Sri Lanka as vastly deteriorating despite the positive initiative of the IIGEP. We still feel it is better to help in this one positive development than to distance ourselves from the government completely. However, we need strong assurances from the GSL that action will be taken on developments in the field."

¶5. (C) Charge' noted Defense Spokesman Keheliya Rambukwella's statement as reported November 22 article in the nationalist Island newspaper to the effect that the GSL would remove Acting Spokesperson of the Sri Lanka Monitoring Mission (SLMM) Helen Olafsdottir from the country based on her recent public statements. Charge' reiterated the Co-chairs' support of the SLMM and warned that such a move by the GSL against Olafsdottir would be ill conceived. Samarasinghe answered that Rambukwella's comments did not represent the official GSL position.

Sacrificing Action for Process

¶6. (C) After the meeting, Minister Samarasinghe pulled Charge' aside, saying that he will have to answer to hardliners (i.e., the military) if Europeans pass this resolution despite these initiatives. His bargaining position within the government will then be weakened, he

argued.

17. (C) Comment: Undoubtedly, Minister Samarasinghe represents the more moderate elements of the government. Still, against the background of a rapidly deteriorating human rights situation, his attempts to head off a Sri Lanka resolution in the HRC ring hollow. In Embassy's view, we should consider the EU-sponsored resolution on Sri Lanka on its own merits and reject any explicit linkages with the Commission of Inquiry/IIGEP mechanism. The CoI, worthy initiative though it is, is not designed to be a panacea for all of Sri Lanka's human rights problems. The bottom line is that the human rights situation continues to deteriorate and a climate of fear and impunity now prevails, as the Co-chairs pointed out in their November 21 statement. The U.S. should therefore support a balanced resolution in the HRC. Embassy would welcome the opportunity to work with the USDEL to craft such a resolution. End comment.
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